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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 12 2004

Application of: THOMAS et al.

Serial No.: 09/497,957

Filed: February 4, 2000

For: PLASMIDS COMPRISING NUCLEIC
ACIDS FROM THE HEREDITARY
HEMOCHROMATOSIS GENE

Group Art Unit: 1644

Examiner: DECLoux, A.

Attorney Docket No.: 8907-087-999

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated February 11, 2003 (Paper No. 12), please consider the following election and remarks.

Applicants submit concurrently herewith a Petition For Extension of Time for one (1) month from March 11, 2003, up to and including April 11, 2003.

REMARKS

In response to the requirement for restriction, Applicants elect, without traverse, Group A, directed to a plasmid comprising a sequence unique to SEQ ID NO:1, 3, 5 or 7 or the complement thereof.

In response to the species election requirement under 35 U.S.C. 121, Applicants elect SEQ ID NO:1 for immediate examination. Upon allowance of a generic claim, the Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

U.S. Serial No.: 09/497,957
Atty. Docket No.: 8907-087-999

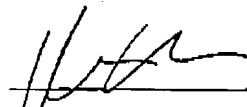
Applicants respectfully request that the above-made remarks be made of record in the file history of the present application.

CONCLUSION

Examination of the elected claims is respectfully requested. No fee beyond the extension of time fee is believed due in connection with this response. However, should the Commissioner determine otherwise, he is authorized to charge any required fee or credit any overpayment to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 8907-087-999).

Respectfully submitted,

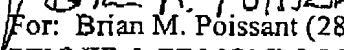
Date March 28, 2003



Birgit Millauer

43.341

(Reg. No.)


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